United Nations E/2005/SR.36

Economic and Social Council

Provisional

27 October 2005

Original: English

Substantive session of 2005
General segment

Provisional summary record of the 36th meeting
Held at Headquarters, New York, on Friday, 22 July 2005, at 10 a.m.

President: Mr. Nesho (Vice-President) ..... (Albania)

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05-43545 (E)

In the absence of the President, Mr. Nesho (Albania), Vice-President, took the chair.

The meeting was called to order at 10.20 a.m.

Social and human rights questions (*continued*) (E/2005/74, E/2005/CRP.3 and E/2005/Misc.1)

(b) Social development (*continued*) (E/2005/26, Supplement No. 6, and A/60/61-E/2005/7)

1. **Ms. Bowen** (Jamaica), speaking on behalf of the Group of 77 and China, said that at the forty-third session of the Commission for Social Development, attention had been drawn to the mixed results achieved in implementing the outcome of the World Summit for Social Development and the further initiatives adopted at the twenty-fourth special session of the General Assembly, indicating that much remained to be done in some critical areas. National poverty reduction targets and the formulation of poverty eradication plans and strategies had produced uneven results across the regions. Since the Social Summit, there had been a rise in unemployment levels globally and unemployment rates among young people were a source of particular concern. While social exclusion remained a problem in many countries, there was evidence that significant strides had been made in plans and programmes to improve the situation of vulnerable groups, such as disabled persons and the elderly. In that regard, efforts should continue to be made to strengthen modalities for implementing the Madrid International Plan of Action on Ageing and further progress was needed in drafting an international convention on the rights of persons with disabilities. The Group of 77 and China continued to be concerned about the impact of diseases and natural disasters, particularly their potential to undo years of progress towards development.

2. To promote development, it was crucially important to strengthen global partnerships between rich and poor countries. The importance of honouring internationally agreed commitments on Official Development Assistance could also not be overstated. The international community needed to increase its efforts to strengthen national and international mechanisms with a view to the full implementation of the Copenhagen Programme of Action. Reaffirming their commitment to the Copenhagen Declaration on Social Development and to the further initiatives for social development adopted at the twenty-fourth special session of the General Assembly, the Group of 77 and China looked forward to seeing the outcome of the Social Summit make a solid contribution to social development.

(e) United Nations High Commissioner for Refugees (*continued*) (E/2005/46 and E/2005/L.17)

3. **The President** invited the Council to adopt draft resolution E/2005/L.17, entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees".

4. *Draft resolution E/2005/L.17 was adopted.*

Coordination, programme and other questions (*continued*)

(c) International cooperation in the field of informatics (*continued*) (E/2005/67, E/2005/L.33)

5. **The President** invited the Council to adopt draft resolution E/2005/L.33, entitled "The need to harmonize and improve United Nations informatics systems for optimal utilization and accessibility by all States".

6. **Ms. Sharma** (Secretary of the Council) said that in the last line of paragraph 3 of the draft resolution, the word "free" had been replaced by "unrestricted".

7. **The President** said that it was his understanding that a consensus had been reached on the draft resolution. Accordingly, he took it that the Council wished to adopt it.

8. *Draft resolution E/2005/L.33 was adopted.*

Economic and environmental questions (*continued*)

(c) Statistics (*continued*) (E/2005/24, Supplement No. 4)

9. **The President** drew attention to chapter I of the report of the Statistical Commission on its thirty-sixth session (E/2005/24, Supplement No. 4), which contained a draft resolution and a draft decision for adoption by the Council.

10. **Ms. Sharma** (Secretary of the Council) explained that the recommendations contained in the report had no additional programme budget implications. Follow-up activities fell within the regular work programme of

the Statistics Division and would be accommodated within existing resources.

11. **The President** said that the draft resolution entitled "2010 World Population and Housing Census Programme" had been adopted by consensus by the Statistical Commission. He took it that the Council wished to adopt the draft resolution.

12. *The draft resolution was adopted.*

13. **The President** said he took it that the Council wished to adopt the draft decision entitled "Report of the Statistical Commission on its thirty-sixth session and provisional agenda, dates and documentation for the thirty-seventh session of the Commission".

14. *The draft decision was adopted.*

15. **Mr. Kotis** (United States of America) said that the United States had joined in the consensus on the decision taking note of the Statistical Commission's report. The Commission had done admirable work relating on indicators of internationally agreed development goals and should focus on assisting developing countries in building statistical capacity and in improving country data. At the same time, it was his delegation's understanding that the requested report on the ability of countries to produce individual indicators referred to developing countries. On another point, the indicators developed in the document "Road map towards the implementation of the United Nations Millennium Declaration" (A/56/326) had not been endorsed in an intergovernmental process and his Government objected to some of them. Moreover, some of the indicators in the document could best be developed from data at the national level, while others were reasonably within the purview of international organizations.

(f) Population and development (E/2005/25, Supplement No. 5)

16. **The President** invited the Council to consider the recommendations contained in the report of the Commission on Population and Development on its thirty-eighth session (E/2005/25, Supplement No. 5).

17. **Ms. Sharma** (Secretary of the Council) said that in paragraph 11 of its resolution 2005/2, the Commission on Population and Development called for the allocation of adequate resources to all areas of the Programme of Action of the International Conference on Population and Development, including the costed package. In that connection, she drew the Council's attention to section VI of General Assembly resolution 45/248 B, in which the General Assembly reaffirmed that the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions were the appropriate bodies entrusted with responsibilities for administrative and budgetary matters.

18. **The President** said that chapter 1, section A, of the report contained a draft decision entitled "Report of the Commission on Population and Development on its thirty-eighth session and provisional agenda for the thirty-ninth session of the Commission", which had been adopted by consensus by the Commission. He took it that the Council wished to adopt the draft decision.

19. *The draft decision was adopted.*

(i) United Nations Forum on Forests (E/2005/42, Supplement No. 22)

20. **The President** invited the Council to consider the recommendations contained in the report entitled "United Nations Forum on Forests" (E/2005/42, Supplement No. 22). Chapter 1, section A, of the report contained a draft resolution entitled "Report of the United Nations Forum on Forests on its fifth session and provisional agenda for its sixth session", which had been adopted by consensus by the Forum. He took it that the Council wished to adopt the draft resolution.

21. *The draft resolution was adopted.*

Social and human rights questions (*continued*) (E/2005/74, E/2005/CRP.3 and E/2005/Misc.1)

(c) Crime prevention and criminal justice (E/2005/30, Supplement No. 10, E/2005/3 and Add.1)

22. **The President** invited the Council to consider the recommendations contained in the report of the Commission on Crime Prevention and Criminal Justice on its fourteenth session (E/2005/30, Supplement No. 10).

23. **Ms. Groux** (Observer for Switzerland) recalled that the Third Committee, in an effort to rationalize its work and having noticed that some of the Council's functional commissions routinely transmitted their draft resolutions to the General Assembly for approval, had recommended that only those resolutions requiring

specific action by the General Assembly should be transmitted to the Assembly, rather than to the Council as commissions' the parent body.

24. In the course of their informal discussions on the report of the Commission on Crime Prevention and Criminal Justice, delegations had been conscious of the need not only to improve the Third Committee's working methods but also to assign due importance to the issues under discussion. Accordingly, they had reached the following conclusion: the six resolutions in section A of chapter I of the report should be adopted by the Council, rather than the General Assembly, and therefore included under the heading "Draft resolutions for adoption by the Economic and Social Council" (section B). All the resolutions in chapter I would then be consolidated and renumbered I to X accordingly. The Secretariat could make the necessary technical adjustments in preparing the Council's final report.

25. **The President**, using the new numbering proposed by the observer for Switzerland, invited the Council to adopt draft resolution I, entitled "Model bilateral agreement on the sharing of confiscated proceeds of crime or property covered by the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988", which had been adopted by consensus by the Commission on Crime Prevention and Criminal Justice. Paragraph 99 of the report contained a reference to a financial statement.

26. *Draft resolution I was adopted.*

27. **The President** invited the Council to adopt draft resolution II, entitled "Eleventh United Nations Congress on Crime Prevention and Criminal Justice", which had been adopted by consensus by the Commission.

28. *Draft resolution II was adopted.*

29. **The President** invited the Council to adopt draft resolution III, entitled "Action against transnational organized crime: protection of witnesses", which had been adopted by consensus by the Commission. Paragraph 102 of the report contained a reference to a financial statement.

30. *Draft resolution III was adopted.*

31. **The President** invited the Council to adopt draft resolution IV, entitled "International cooperation in the fight against transnational organized crime", which had been adopted by consensus by the Commission. Paragraph 100 of the report contained a reference to a financial statement.

32. *Draft resolution IV was adopted.*

33. **The President** invited the Council to adopt draft resolution V, entitled "Action against corruption: assistance to States in capacity-building with a view to facilitating the entry into force and subsequent implementation of the United Nations Convention against Corruption", which had been adopted by consensus by the Commission. Paragraph 101 of the report contained a reference to a financial statement.

34. *Draft resolution V was adopted.*

35. **The President** invited the Council to adopt draft resolution VI, entitled "Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the United Nations Office on Drugs and Crime", which had been adopted by consensus by the Commission. Paragraph 22 of the report contained a reference to a financial statement.

36. *Draft resolution VI was adopted.*

37. **The President** invited the Council to adopt draft resolution VII, entitled "Guidelines on justice in matters involving child victims and witnesses of crime", which had been adopted by consensus by the Commission. Paragraph 144 of the report contained a reference to a financial statement.

38. *Draft resolution VII was adopted.*

39. **The President** invited the Council to adopt draft resolution VIII, entitled "Strengthening the technical cooperation capacity of the United Nations Crime Prevention and Criminal Justice Programme in the area of the rule of law and criminal justice reform", which had been adopted by consensus by the Commission.

40. *Draft resolution VIII was adopted.*

41. **The President** invited the Council to adopt draft resolution IX, entitled "Action to promote effective crime prevention", which had been adopted by consensus by the Commission. Paragraph 145 of the report contained a reference to a financial statement.

42. *Draft resolution IX was adopted.*

43. **The President** invited the Council to adopt draft resolution X, entitled "Strengthening reporting on crime", which had been adopted by consensus by the Commission. Paragraph 56 of the report contained a reference to a financial statement.

44. *Draft resolution X was adopted.*

45. **The President** said that chapter 1, section C, of the report contained three draft decisions. He invited the Council to adopt draft decision I, entitled "Report of the Secretary-General on capital punishment and the safeguards guaranteeing protection of the rights of those facing the death penalty", which had been adopted by consensus by the Commission.

46. *Draft decision I was adopted.*

47. **Mr. Kariuki** (United Kingdom), speaking on behalf of the European Union, the acceding countries Bulgaria and Romania, the candidate countries Croatia and Turkey, the stabilization and association process and potential candidate countries Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, the European Free Trade Area countries members of the European Economic Area Iceland, Liechtenstein and Norway and, in addition, the Republic of Moldova and Ukraine, said that United Nations standards and norms played a crucial role in the global effort to address both crime prevention and criminal justice issues effectively. The European Union was opposed to the death penalty in all circumstances, believing that it inherently constituted a violation of the right to life and human dignity. It was committed to the universal abolition of capital punishment and welcomed the fact that the international community had excluded its use in establishing international tribunals and the International Criminal Court.

48. The European Union was disturbed, however, to note the continued occurrence of a number of practices that contravened international law and United Nations safeguards, including the retention of capital punishment for crimes other than the most serious crimes; the execution of individuals whose trials and appeals had not been conducted in conformity with article 14 of the International Covenant on Civil and Political Rights; the sentencing to death of individuals who had been under the age of 18 at the time of committing their offence; the execution of pregnant women, mothers with dependent infants or persons with mental or intellectual disabilities; and public executions or particularly cruel or inhuman forms of capital punishment, such as stoning. It called upon all countries that had not yet done so to abolish the death penalty and, in the meantime, to impose a moratorium on its use.

49. The resolution put forward by the European Union at the latest session of the Commission on Human Rights had, inter alia, firmly condemned cases in which women were subjected to the death penalty on the basis of gender-discriminatory legislation, policies or practices, as well as the disproportionate use of the death penalty against persons belonging to national or ethnic, religious and linguistic minorities.

50. The Secretary-General's report highlighted a worrying number of instances in which countries had not complied with United Nations safeguards. The European Union shared the Secretary-General's disappointment at the low response rate from retentionist countries and called on them to provide him with accurate, comprehensive statistics on the number of death sentences imposed, appeals allowed and executions carried out, in order to increase the report's effectiveness.

51. **The President** invited the Council to adopt draft decision II, entitled "Round Table for Africa: crime and drugs as impediments to security and development in Africa: strengthening the rule of law", which had been adopted by consensus by the Commission. Paragraph 19 of the report contained a reference to a financial statement.

52. *Draft decision II was adopted.*

53. **The President** invited the Council to adopt draft decision III, entitled "Report of the Commission on Crime Prevention and Criminal Justice on its fourteenth session and provisional agenda and documentation for its fifteenth session", which had been adopted by consensus by the Commission.

54. *Draft decision III was adopted.*

(d) Narcotic drugs (E/2005/28, Supplement No. 8 and E/INCB/2004/1)

55. **The President** invited the Council to consider the recommendations contained in the report of the Commission on Narcotic Drugs on its forty-eighth session (E/2005/28, Supplement No. 8). Chapter I, section A, of the report contained a draft resolution, entitled "Providing support to Afghanistan with a view

to ensuring effective implementation of its Counter-Narcotic Implementation Plan", which had been adopted by consensus by the Commission.

55. *The draft resolution was approved.*

56. **The President** said that chapter I, section B, of the report contained four draft resolutions, which had been adopted by consensus by the Commission. He invited the Council to adopt draft resolution I, entitled "Treatment of pain using opioid analgesics".

57. *Draft resolution I was adopted.*

58. **The President** invited the Council to adopt draft resolution II, entitled "Demand for and supply of opiates used to meet medical and scientific needs".

59. *Draft resolution II was adopted.*

60. **The President** invited the Council to adopt draft resolution III, entitled "International assistance to States affected by the transit of illicit drugs".

61. *Draft resolution III was adopted.*

62. **The President** invited the Council to adopt draft resolution IV, entitled "Frequency of meetings of Heads of National Drug Law Enforcement Agencies, Europe".

63. *Draft resolution IV was adopted.*

64. **The President** said that chapter I, section C, of the report contained two draft decisions, which had been adopted by consensus by the Commission. He invited the Council to adopt draft decision I, entitled "Report of the Commission on Narcotic Drugs on its forty-eighth session and provisional agenda and documentation for the forty-ninth session of the Commission".

65. *Draft decision I was adopted.*

66. **The President** invited the Council to adopt draft decision II, entitled "Report of the International Narcotics Control Board".

67. *Draft decision II was adopted.*

Coordination, programme and other questions (*continued*)

(f) Information and Communication Technologies (ICT) Task Force (*continued*) (E/2005/71, E/2005/L.23)

68. **Ms. Sharma** (Secretary of the Council) said that the words "in particular in light of the ongoing World Summit on the Information Society process" should be inserted after the words "reiterates the need" in paragraph (c) of the draft resolution entitled "United Nations Information and Communication Technologies (ICT) Task Force" (E/2005/L.23).

The meeting rose at 11.15 a.m.